



COMMITTEE ON HOMELAND SECURITY

FOR IMMEDIATE RELEASE

Opening Statement of Chairman Bennie G. Thompson (D-MS)

Full Committee Markup of H.R. 3256

June 19, 2019

In just ten months, the only Federal program focused on protecting U.S. chemical plants from terrorist attacks will be shuttered unless Congress acts. January, authorization for the Chemical Facility Anti-Terrorism Standards program almost expired and “CFATS”—as it has come to be known—was a day away from being terminated. Fortunately, in the eleventh hour, Congress was granted a short window of time to get a long-term authorization bill to the President’s Desk. Given that a re-authorization of the CFATS program will have to go through at least two House Committees before reaching the House floor and a Senate Committee before it can be presented to the President, we do not have a moment to waste.

For our part, this Committee, which has a history with the CFATS program that dates back to 2006, takes its responsibility to strengthen it very seriously. Out of the gate, in the 116th Congress, we held two oversight hearings in February and March to receive testimony from DHS and stakeholders on how the program is operating and how it can be improved. Then, under the leadership of the Chairman of the Cybersecurity, Infrastructure Protection, and Innovation Subcommittee, Representative Richmond, the Committee got to work. Over a 6 month period, the Committee held close to 40 meetings with a diverse range of stakeholders, as well as our colleagues across the aisle and in the Senate, on how to improve this novel regulatory program—in which high-risk chemical plants design their own security plans to meet risk-based performance measures. We sought out and spoke to everyone—from the American Petroleum Institute and Blue Green Alliance to the Steelworkers and the National Association of Manufacturers. Throughout the process, we regularly conferred with DHS and the other Congressional committees involved in reauthorizing the CFATS program. And when, in May, we got feedback from industry stakeholders that they needed more time to engage with us on the legislation, we delayed Committee consideration.

Which brings us to today. We are here today to consider H.R. 3256, a five-year reauthorization bill for the CFATS program. Thanks to Representative Richmond, H.R. 3256 does not simply authorize the CFATS program but, based on the Committee’s oversight findings, which includes five separate Government Accountability Reports, makes improvements to it. I am particularly proud of how the bill strengthens information sharing between facilities and with emergency responders who would be called upon to respond to an attack or wide-scale incident and empowers chemical workers to support a culture of security within their workplaces. Representative Richmond will be going into greater detail on H.R. 3256 but, for now, I would like to take a moment to commend him for the bipartisan and thoughtful manner in which he oversaw this process. His willingness to engage with a diverse spectrum of stakeholders and slow down the process got the bill to a better place.

I understand that some stakeholders continue to have reservations about H.R. 3256 and had hoped we would—once again—delay our markup. I, too, had hoped for additional time for the Committee to negotiate a long-term CFATS reauthorization. That is why, in January, I introduced a bill to extend the program for two years with Ranking Member Rogers and the leaders of the Energy and Commerce Committee, Representatives Frank Pallone and Greg Walden. Unfortunately, for reasons that are unclear to me, the Senate insisted on limiting the extension to 16 months, dramatically reducing the amount of time we have to get a package across the finish line. Rest assured, we will continue to engage with all CFATS stakeholders as this legislation progresses in the House in the hopes of bringing folks along. We also will continue working with the Energy and Commerce Committee to ensure that this counter-terrorism program not only remains operational, but matures into a program that makes our communities, including those communities with high concentrations of chemical plants, more secure. Turning to today’s bill, I would like to express my appreciation to the Ranking Member and his staff for their willingness to engage with us, as we kick off this legislative process with an eye to reaching bi-partisan agreement on a final package.

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